

REMARKS

This application was originally filed on 7 January 2004 with twenty eight claims, two of which were written in independent form. No claims have been allowed. Claims 1, 8, 9, and 15 are amended herein to broaden the scope of the claims. Claims 29-40 have been added herein.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,812,303 to Hewlett *et al.* ("Hewlett"). The applicant respectfully disagrees.

Claim 1 recites, "at least one other color segment configured to transmit light" "comprising first and second pluralities of transmissive regions, wherein each region of the first plurality of transmissive regions substantially has a first transmissivity and each region of the second plurality of transmissive regions substantially has a ~~second~~ transmissivity different from said first transmissivity."

The Examiner stated "Hewlett discloses . . . the segment 34 inherently comprising a plurality of segments, which can be split in a first and a second plurality of segments . . . wherein each segment in the first plurality has a first transmissivity (being determined by the composition of the NDF) and each segment in the second plurality has a second transmissivity (which is the same as the said first one)."

The Examiner is dividing the single NDF region of Hewlett into two regions having the same transmissivity characteristic and rejecting Claim 1 as inherent based on this arbitrary division of the single region of Hewlett—that is, anywhere there is a single region with a uniform transmissivity there inherently are multiple regions having multiple, but identical, transmissivity.

Claim 1 recites "each region of the second plurality of transmissive regions substantially has a transmissivity different from said first transmissivity." Hewlett does not show, teach or suggest this limitation.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hewlett. Claims 11 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hewlett. Claims 2-9 and 13-14 were objected to as being dependent upon a rejected base claim. Claims 2-14 depend from Claim 1 and should be deemed allowable for that reason and on their own merits. For the reasons argued above with respect to the independent claim, the prior art of record does not show, teach, or suggest the limitations of the independent claims, much less the

additional limitations of the dependent claims.

Claim 15 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hewlett in view of U.S. Patent Application No. 2004/0080721 to Lassar ("Lassar"). The applicant respectfully disagrees.

Claim 15 recites, "at least one other color segment configured to transmit light of substantially the same color as one of the at least two color segments and further comprising first and second pluralities of transmissive regions, wherein each region of the first plurality of transmissive regions substantially has a first transmissivity and each region of the second plurality of transmissive regions substantially has a transmissivity different from said first transmissivity." Hewlett, in combination with Lassar, does not show, teach, or suggest this limitation.

Claims 24-26 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hewlett in view of Lassar. Claims 24-26 depend from Claim 15 and should be deemed allowable for that reason and on their own merits. For the reasons argued above with respect to the independent claim, the prior art of record does not show, teach, or suggest the limitations of the independent claims, much less the additional limitations of the dependent claims.

Newly added Claims 29-40 recite "a third segment configured to transmit light of substantially said first color, comprising first and second pluralities of regions formed in said third segment, each region of said first plurality of regions substantially has a first transmissivity and each region of said second plurality of regions substantially has a transmissivity different from said first transmissivity" and should be deemed allowable for that reason.

In view of the amendments and the remarks presented herewith, it is believed that the claims currently in the application accord with the requirements of 35 U.S.C. § 112 and are allowable over the prior art of record. Therefore, it is urged that the pending claims are in condition for allowance. Reconsideration of the present application is respectfully requested.

Respectfully submitted,



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